

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:11-cv-286-RJC**

THIS MATTER is before the Court on consideration of Plaintiff's complaint which is filed pursuant to 42 U.S.C. § 1983. Plaintiff was a prisoner of the State of North Carolina at the time he filed this complaint which raises allegations of, among other things, the use of excessive force and negligence by prison officers which he contends led to physical injury and the loss of his property.

According to the website of the North Carolina Department of Public Safety, Plaintiff was released from custody on November 30, 2012, however Plaintiff has not provided this Court with a current address such that this case may proceed. Plaintiffs have a general duty and responsibility to prosecute their cases, and this includes the obligation to provide the Court with a current address. See Carey v. King, 856 F.2d 1439, 1441 (9th Cir. 1988). Federal Rule of Civil Procedure 41(b) provides as follows:

(b) Involuntary Dismissal; Effect. If the plaintiff fails to prosecute or to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against it. Unless the dismissal order states otherwise, a dismissal under this subdivision (b) and any dismissal not under this rule—except one for lack of jurisdiction, improper venue, or failure to join a party under Rule 19—operates as an adjudication on the merits.

The Clerk will be directed to send a copy of this Amended Order to the Plaintiff's last known address which is on file with the Clerk's office. Plaintiff is directed to inform the Clerk of his present mailing address within 14-days from entry of this Amended Order and he is warned that failure to do so will result in dismissal of this civil action without further notice.

IT IS, THEREFORE, ORDERED that:

1. This Amended Order supersedes the Order entered September 9, 2014. (Doc. No. 8).
2. The Clerk shall send a copy of this Amended Order to Plaintiff's last known address.
3. Plaintiff shall provide his new address to the Clerk's Office within 14-days from entry of this Amended Order.
4. Failure to provide a current address to the Clerk within 14-days from entry of this Amended Order will result in dismissal of this civil action without prejudice and without further notice.

IT IS SO ORDERED.

Signed: September 10, 2014



Robert J. Conrad, Jr.
United States District Judge

